

UNITED STATES DISTRICT COURT

for the
District of New Mexico

United States District Court
Albuquerque, New Mexico

Mitchell R. Elfers
Clerk of Court

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Body of TJ James, year of birth 1984

Case No.

24mr1944

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See attachment A.

located in the _____ District of _____ New Mexico _____, there is now concealed (identify the person or describe the property to be seized):

See attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 1153	Offenses Committed in Indian Country
18 U.S.C. § 2241(c)	Aggravated Sexual Abuse of a Child
18 U.S.C. § 2243(a)	Sexual Abuse of a Minor

The application is based on these facts:
See attached affidavit

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

James Ridder, FBI Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
_____ telephone _____ (specify reliable electronic means)

Date: 10/22/2024

Judge's signature

City and state: Farmington, New Mexico

B. Paul Briones, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR NEW MEXICO

IN THE MATTER OF THE SEARCH OF

Body of TJ James, year of birth 1984

Case No. _____

AFFIDAVIT IN SUPPORT OF AN
APPLICATION UNDER RULE 41 FOR A
WARRANT TO SEARCH

I, James Ridder, of the Federal Bureau of Investigation (FBI), being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the body of TJ JAMES (hereafter “JAMES”), year of birth (“YOB”) 1984, to collect urine and genital swab samples. I believe JAMES’s urine and genital swab samples may show the presence of chlamydia trachomatis infection, which J.B. (hereafter “JANE DOE”), YOB 2005, tested positive for on November 10, 2022.

2. Because this affidavit is submitted for the limited purpose of seeking a search warrant to collect urine and genital swab samples from JAMES, I have not set forth each and every fact I have learned during the course of this investigation. I have set forth only the facts that I believe are necessary to establish the foundation for an order authorizing the requested search warrant.

PURPOSE OF THE AFFIDAVIT

3. As set forth herein, there is probable cause to believe that JAMES committed violations of aggravated sexual abuse of a child, as well as sexual abuse of a minor in Indian

Country, violations of 18 U.S.C. §§ 1153, 2241(c), and 2243(a). Because there is probable cause to believe JAMES had sexual relations with JANE DOE, there is also probable cause to believe that JAMES's urine samples and genital swabs may contain a chlamydia trachomatis infection. Therefore, there is probable cause to collect a urine and genital swab samples from JAMES to confirm whether or not JAMES has/had a chlamydia trachomatis infection.

AFFIANT'S RELEVANT TRAINING AND EXPERIENCE

4. I am a Special Agent with the FBI and have been so employed since January 2016. I am currently assigned to the Albuquerque ("AQ") Field Office, Gallup Resident Agency ("GRA"). My primary duties as a Special Agent with the FBI include investigating federal crimes occurring within our jurisdiction, violent crimes, and sexual assault of minors on federal property. I have gained experience in the conduct of such investigations through previous case investigations, formal training, and in consultation with law enforcement partners in local, state and federal law enforcement agencies. As a Federal Agent, I am authorized to investigate violations of the laws of the United States and have authority to execute arrests and search warrants issued under the authority of the United States.

5. Through open-source research, I am aware that a chlamydia trachomatis infection is a bacterial infection and can be detected in tests involving a person's urine sample or genital/genital secretion swab. In some cases, a chlamydia trachomatis infection causes no symptoms. If a chlamydia trachomatis infection is left untreated, the infection can live in the body for months or years. Chlamydia can be spread through contact with infected fluids such a semen

or vaginal fluid. Chlamydia can be spread even if the person transmitting it has no symptoms and can be transmitted through several ways, including:

- a) Unprotected sex - Chlamydia can be passed through vaginal, anal, or oral sex without a condom.
- b) Genital touching - Chlamydia can be transmitted through genital touching, even if there's no penetration, orgasm, or ejaculation.
- c) Sharing sex toys- Chlamydia can be spread through sharing sex toys especially those that have not been washed or covered with a new condom for each use.
- d) Childbirth - A pregnant person with chlamydia can pass the infection to their baby during childbirth.

FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE

6. On November 10, 2022, FBI AQ, GRA received information from Ramah Navajo Police Department related to the sexual assault of JANE DOE by JAMES.

7. The Ramah Navajo Police Department ("RNPD") report (Incident # 22R-1911) provided that on November 8, 2022 an investigation was initiated after JANE DOE reported to a Pine Hill health care worker that JANE DOE was "physically touched by" JAMES and that JAMES "placed his penis inside her vagina and has pulled out before ejaculation."

8. FBI AQ, GRA received and reviewed JANE DOE's medical records obtained from Pine Hill Health Center. JANE DOE was seen on November 10, 2022 and tested positive for a chlamydia trachomatis infection.

9. On November 11, 2022, JANE DOE was forensically interviewed at Childhaven at Hummingbird Children's Advocacy Center. Your affiant reviewed the electronic recording of the interview. During the forensic interview, JANE DOE reported when JANE DOE's mother was not

home, JAMES went into JANE DOE's room and tried to take her clothes off. JANE DOE explained what JAMES did as "having sex with a...child." The first time JAMES touched JANE DOE was when JANE DOE was approximately 11 years old. JAMES told JANE DOE's siblings to go outside, and JAMES took JANE DOE to a bedroom. JAMES removed JANE DOE's clothing and put his "thing" in JANE DOE's "front part." JANE DOE described JAMES' thing as JAMES' "penis" and JANE DOE's "front part" as JANE DOE's "vagina." JANE DOE estimated JAMES had sex with JANE DOE more than five (5), but less than 10 times. JAMES instructed JANE DOE to not tell JANE DOE's mother or anyone.

10. On April 4, 2023, JAMES was interviewed by FBI AQ, GRA. JAMES admitted to putting his penis in JANE DOE's vagina. JAMES admitted to having sexual relations with JANE DOE multiple times. During the interview, JAMES indicated on a diagram of a penis how far JAMES inserted his penis into JANE DOE's vagina.

11. A review of JAMES' medical records from multiple health care facilities in the area surrounding Ramah, New Mexico did not show that JAMES was seen by a medical professional for the treatment of a chlamydia trachomatis infection.

12. The incidents occurred at 31 BIA Route 182B, Pine Hill, New Mexico 87357, which is located within the exterior boundaries of the Ramah Navajo Nation, Cibola County, District of New Mexico. JANE DOE and JAMES are registered members of the Ramah Navajo Nation, a federal recognized Indian Tribe.

13. Based on the foregoing, there is probable cause to believe that the urine and genital swab samples sought through this warrant will provide evidence pertaining to violations of:

- a) 18 U.S.C. §§ 1153, 2241(c) - Aggravated Sexual Abuse of a Child, in Indian Country;

b) 18 U.S.C. §§ 1153, 2243(a) - Sexual abuse of a Minor, in Indian Country.

14. The urine and genital swab samples from JAMES will be obtained pursuant to approved procedures, without unnecessary discomfort to JAMES, in private, and under circumstances where he will feel little or no pain or embarrassment.

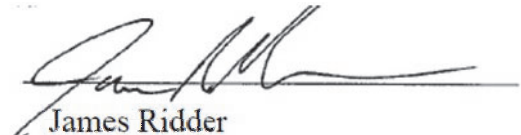
15. JAMES can be described as a 5'7", 210 lb, Native American male, with black hair and brown eyes. JAMES was born in 1984.

CONCLUSION

16. Based on the above information, there is probable cause to believe that JAMES committed violations of aggravated sexual abuse of a child, as well as sexual abuse of a minor in Indian Country, violations of 18 U.S.C. §§ 1153, 2241(c), and 2243(a) and that the samples sought in this warrant will provide evidence of those violations. Therefore, I am seeking authorization under Rule 41 of the Federal Rules of Criminal Procedure to collect a urine and genital swab samples from JAMES, via urine collection and swabs of JAMES' penis, to confirm whether JAMES has or had a chlamydia trachomatis infection.

17. This affidavit has been reviewed and approved by Assistant United States Attorney Brittany DuChaussee.

Respectfully submitted,



James Ridder
Special Agent, FBI



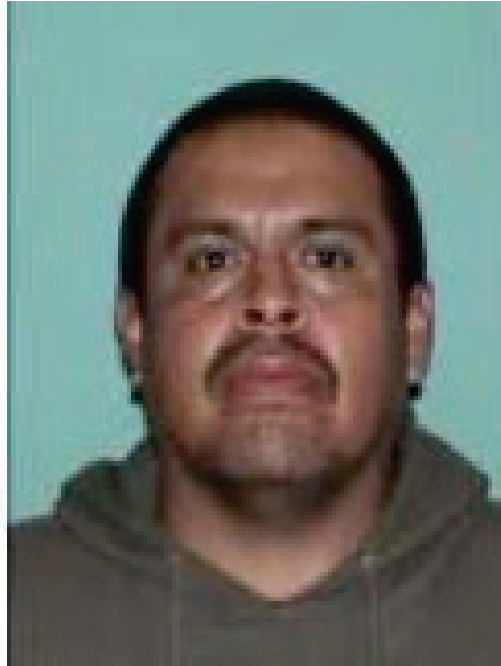
Telephonically sworn and electronically signed on October 22, 2024:

B. Paul Briones
United States Magistrate Judge

ATTACHMENT A

PERSON TO BE SEARCH

TJ James, year of birth 1984



ATTACHMENT B

Urethral discharge culture/genital swab test sample and urine sample from the person described in Attachment A, which constitutes evidence of aggravated sexual abuse of a child, as well as sexual abuse of a minor in Indian Country, violations of 18 U.S.C. §§ 1153, 2241(c), and 2243(a).

A properly trained and qualified medical professional will be utilized to collect the urine and genital swab samples. The samples will be sent to a medical testing facility.

The FBI will use a closed and private room at a law enforcement facility to collect the swabs. If a suitable room is not available at the facility, JAMES will be transported to a medical facility or a federal facility with appropriate accommodations.

In the event that JAMES refuses to cooperate with the collection of these samples, authorization to use reasonable force or restraint to the extent necessary to collect the samples is granted by the Court.